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IN THE SUPREME COURT OF THE STATE OF IDAHO Docket No. 29668

)
PURCO FLEET SERVICES, INC., a Utah corporation,	Boise, March 2004 Term
Petitioner-Respondent,) 2004 Opinion No. 56
v.) Filed: April 29, 2004
IDAHO STATE DEPARTMENT OF FINANCE, GAVIN M. GEE, Director,) Frederick C. Lyon, Clerk)
Respondent-Appellant.))

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. D. Duff McKee, District Judge.

The Court <u>reverses</u> the district court and <u>affirms</u> and reinstates the Department of Finance's cease and desist order entered against PurCo.

Hon. Lawrence G. Wasden, Attorney General; Boise, for appellant. Rene Martin argued.

Pike & Smith, P.A., Idaho Falls; and Van Cott, Bogley, Cornwell & McCarthy, Salt Lake City, Utah, for respondent. Stephen K. Christiansen argued.

The Idaho Supreme Court decided to reinstate the Department of Finance's ruling that PurCo Fleet Services, Inc. is subject to registration under Idaho's debt collection statute. After lengthy discussions and negotiations with the Department, PurCo had been ordered to cease operations in Idaho until they registered with the Department. PurCo appealed that decision to Ada County district court. The district court decision agreed with PurCo that their settling of disputed automobile damage claims originating with Thrifty Car Rental were not covered by the statute. The Idaho Supreme Court reversed that decision saying the settling and collecting of damage claims from renters of Thrifty

Rental cars was a "claim" pursuant to I.C. \S 26-2223(2). Therefore, PurCo must register pursuant to the Idaho Collection Agency Act or cease business.